MR. THIRY'S 88TH BIRTHDAY

HIS YOUNGEST SON WILL HAVE FIRST NEXT SEPTEMBER.

His Eldest Is About Fifty-four Years Older-Tells of Days When He Sold Books to Horace Greeley and Henry Ward Beecher-The School Banks.

The five little Thirys were romping and frolicking about their desiccated Christmas tree yesterday on one of the first floor ooms of the Thiry home at 181 Academy street, Long Island City, as John Henry Thiry, their father, sat in his library on other side of the sliding doors and cogitated over the fact that he was 88 years old. All the five youngsters were romping and frolicking, that is to John Henry, in whose case the fact that he was born on September 4 last put a certain limit to his romps and frolics. But his vocal resources more than made up for his pardonable lack of agility.

If you had gone to congratulate Mr. Thiry yesterday and to ask him how it felt to be the eighty-eight to leather of five children ranging from 10 rears down to less than four months t is more than probable that you would have ascended the high stoop to the door over which 181 glowed in the fading light of the late afternoon. It is equally tobable that the door would have been ened for you by Francis, aged 6 years, have shown you into a dim and down a stairway to the round floor. You would have had no ay of telling, you see, that the little door

He sat by the desk at the window, did John Henry Thiry, in the warm low ceilnged room, but it was a little drafty window and so he wore his broad ed undented tan slouch hat. A light brown coat above dark trousers fort seeking one, and the rolling shirt collar of black and white check didn't detract from it. A crimson cravat striped with green and exhibiting a garnet scarfrdered his stubbly white whiskers. Rilver rimmed spectacles crossed his nose ear the end, but they didn't hide the harp eyes with corner wrinkles that had with much good humor.

Inasmuch as Mr. Thiry came to New York in 1859-he was Jean Henri Thiry en, for he came from Belgium-it was y to settle at once that New York in those days was far different from the New York of to-day. But when it agreed that Thirty-fourth street was in the suburbs and that goats roamed t will as far down as Twenty-third street further explorations were taken in agreets of the Gotham of half a century

But it was recalled that the rent of a shop at Centre and Canal streets at that a me was but 36 a menth. Mr. Thiry dropped that in, by the way, as he was selling about his coming to this country. Cathering rare books had been a hobby with him in that country on the other side, where every one had some specialty or other. So when he came to New York he fell naturally into the line of collecting early editions and desirable atchings and exchanging the same for the gold of the new country. An old woman who had a peanut emporium at Centre and Canal streets, where she sold peanuts to the exclusion of everything

Tork he fell naturally into the line of collecting early editions and desirable etchings and exchanging the same for the gold of the new country. An old woman who had a peanut emporium at Centre and Canal streets, where she sold peanuts to the exclusion of everything alse, was prevailed upon to part with her lease for \$5, which represented almost a whole month's rent.

There Mr. Thiry kept his antique bindings and musty parchments for twelve years. Henry Ward Beecher and Horace Greeley were among his patrons. He hit upon an easy way to supply the wishes of his customers. The bookshops of the Old World issued catalogues and Thiry wrote for them. When he saw a choice book listed he would tell his patrons that he knew where he could lay his hand on such and such a volume. Would they oare for it? Most certanly. A little writing and a little waiting and, voilat their wishes were realized. A big reputation for resourcefulness gathered around the scheman and the same for the field of Work and Necessary Equipment of the Professional School of Forestry, and was followed by Dr. Flibbert Roth, professor of forestry, University of Michigan, with a paper on the "Curriculum of the Professional School of Forestry."

Dr. Richard T. Fisher, chairman of the division of forestry, graduate school of applied science, Harvard University, and Dr. Bernard E. Fernow, dean of the department of forestry. University of Toronto, and well known in Washington as the first head of the bureau of forestry in the Department of Agriculture, read a paper on "Public Responsibility of the Forest School."

The institutions represented at the conference are Columbia University, Prof. Goethe; Harvard University, Prof. Fisher; Iowa State College, Prof. Scott; Ledigh University, President Drinker and Harvard Harvard University, Prof. Hall: Maryland Agriculting College.

care for it? Most certanly. A little writing and a little waiting and, voilat their wishes were realized. A big reputation for resourcefulness gathered around the purveyor and the New York public literaries and even the Congressional Library sought him out. In conjunction with his book stalls he kept the newspapers and weeklies for the accommodation of the guests at Earl's Hotel near by. Then the Scientific American decided to buy the site on which he was located and Mr. Thiry's eyes grew merry yesterday as he explained that even his rare books hadn't brought him enough to stay where he was. So he had to look around for a new place.

Some one told him that there was a bassment to be had on Broadway just above Eighth street. They had a liquor store there then, but it payed too well. Why? Because on one of the upper floors was a gambling place and the liquor shop drew away trade. Was gambling permitted, then? Well, no; that is, there was a law against it, but—Mr. Thiry spread out his hands and raised his shoulders. And between the liquor shop and the gambler because he was the reigning politician of that time. He was a politician of good works too—"much the same cort of a man as the Little Tim who died recently," said Mr. Thiry. Two rooms were always kept in readiness in his place to receive unfortunate men who were picked up on the street and who didn't have the price of a lodging. New shoes and clothing were waiting for them. Mr. Thiry tried hard to recall the name of the beneficent politician. Well, it was no use. His memory was the first faculty to fail him. It reminded him that he was getting old.

Through the sliding doors came the cheerful voices of the younger Thirys have the price of the optimise of the province of the powerful. At 18 o'clock ke wrote: "I am not feeling were and only a condition. At 18 o'clock ke wrote: "I am not feeling were in one of the powerful voices of the younger Thirys have been alseep the last two hours; I do not remember, wrote Luby to fail him. It reminded him that he was gett

thing old.

Through the sliding doors came the cerful voices of the younger Thirys they sang in chorus: All around the mulberry bush,

All around the mulberry bush, All around the mulberry bush, All around the mulberry bush.

All around the mulberry bush.

There was more volume than variety to their lyric efforts. But to return to the sambler and his basement. A negro factorum answered Mr. Thiry's ring when he went to see about it. The black man seemed to be in a position to select a tenant. He thought a book seller would be a desirable person who wouldn't run opposition to the gambling business and he consented to recommend Mr. Thiry to his boss. Another intermediary helped too. That was Supreme Court Justice Daly, who met the book collector as he was leaving after making a tentative arrangement. Through his efforts Mr. Thiry was able to get the place for \$30 a month, and there he stayed for a few years.

savings banks.

He had bought four lots in the Dutch Kills section of Long Island City and in 1874 he built the first house on the plot where he lives now. During the years that followed his attention was divided between books and his gardens. In 1883 Mayor George Petry of Long Island City knowing that Thiry had taught in the schools of Belgium, asked him to be one of the School Commissioners. In his work there was one thing that bothsand him. It was the way the children to Simon Fink, his employer, at 130 Fulton

12th Year of Success 1910 Oldsmobile 4 and 6 Cylinder

Touring Car Close Coupled Body Roadster' Limousine

All Models Now Ready OLDSMOBILE CO. OF N. Y. 1653 Broadway (51st St.)

chewing gums made their faces grotesque. Bahl That chewing he couldn't stand! So he instituted the savings banks as the best way to keep the children's pennies out of mischief. For ideas he wrote to the countries of Europe where the system was in use. Half a dozen plans were sent to him and to formulate his were sent to him and to formulate so once a week was all that he wanted for the work. That kept the boys and giels from thinking always of money, money, money, money, when their names were called they answered 'Yes!' if they had saved darything. The teachers and the principals looked after, the rest and made reports to the parents. It was money that they had earned sweeping sidewalks or cleaning windows or washing dishes that was wanted, not the money that was biegged from their fathers. And that was the whole system.

Since then [114 schools from Canada to Mississippi and from Minnesota to Wississippi and from Minnesota to Wississippi and from Minnesota to Mississippi and from Minnesota to the country. That is what has occupied his time for the last twenty-five years.

Entered at this point Ernestine, 2 years old. Around her head was draped a tablecloth with the fringe forming a train behind her. She had strayed his condition that they report to him once a year. Then he sends the statistics throughout the country. That is what has occupied his time for the last twenty-five years.

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Entered at this point Ernestine, 2 years old. Around her head was draped a tablecloth with the fringe forming a train behind her. She had strayed his conditions that they report to him once a wear to the country of the ment and the principal of the greatest aviator in the world, and two sons of 54 and 53, besides the f

ON EDUCATION IN FORESTRY. The First Conference of Its Kind Ever

WASHINGTON, Dec. 30 .- A two day conference on education in forestry the first of its kind ever held in this country, is in progress at the residence of Gifford Pinchot, chief of the United States forest service. The address of welcome was made by Secretary James Wilson of the Department of Agriculture.

Mr. Pinchot followed in a brief talk.

Prof. Graves, director of the forest school. Yale University, read a paper

"At 4:20 my condition does not improve.

Am still taking my medicine."

"I must have been asleep the last two hours; I do not remember." wrote Luby shortly after 7 o'clock.

"Am alternating pellets."

At 9 o'clock he wrote: "I am not feeling as easy." During the next several hours there is no mention of his condition. At 2 o'clock this morning he wrote the following: "Cold. I know my condition is serious. It is hard to breathe."

"I am—" and there the note ended.

Luby had spent a fortune in attempting. Luby had spent a fortune in attempting to invent a perpetual motion machine.

JERSEY WATER DECISION. After Four Years One Is Obtained That

Will Be of Wide Effect. PATERSON, N. J., Dec. 30.-Vice-Chan cellor Emery has handed down a decision sustaining the contention of the city of Paterson that the East Jersey Water Company has no right to divert the waters of the Passaic River to supply municipalities with drinking water.

for \$30 a month and there he stayed for a few years.

Early in the '70s he had saved enough to retire and he sold the business. Six months of leisure with a trip to the other side was all that he could stand. Even the days that be spent in the auction reoms of Paris didn't bring the same pleasure that he got from active business. So he came back to New York and he started up again. This time it was in William street on a smaller scale. A few years later another subject had come up to interest him. It was the schools savings banks.

He had bought few local stayed for a few years later another subject had come up to interest him. It was the schools The decision is of Statewide interest

ACCUSED OF JEWELRY THEFT. Simon Fink's Clerk Arrested-Alleged

IMPRESARIO OF AVIATORS

MR. CLEARY BLOWS THE TRUM! FOR PAULHAN THE GREAT.

Bringing a Whole Bunch of French Air Sallors and Some Farman and Bleriot Machines—Bound for Los Angeles irst-Dorando Here to Run Again

They called him the impresario of the aviators, the only folks who get closest to the music of the spheres. He is Edwin Cleary, native of Kentucky and citizen of the world and all that which is above the world that may be navigated by aeroplanes. But, on his honor as Kentuckian, the air that he believes his company of aviators can sail in better than any other aerial experts in the game

Long ago Mr. Cleary was an actor and later he was a real impresario, Christine Nilsson being one of the several singers that he managed for a time. The last enterprise in which Mr. Cleary was inter-

kind of a machine and he could navigate it. He preferred a Farman, but he was at home in a Blériot monoplane or a Wright biplane. Two Farman machines had ar-

home in a Blériot monoplane or a Wright biplane. Two Farman machines had arrived here in the morning, Mr. Cleary said, aboard the French Line freighter Caroline. Paulhan would use these; also he might experiment with two light. Channel crossing Blériots that also came by the Caroline.

Incidental to his other accomplishments Mr. Cleary has cultivated that of writing for the press. But he is not quite up to date now, as he gave out no manifold duplicated copies of his remarks. He speaks most of the languages, but said that he was unable to find in any one enough things to say about his seven or eight aviators, including the incomparable Paulhan. When he was at a loss to express himself he fell back on Shakespeare.

He was told that there was a possibility that Paulhan and the rest of his aviation men might be restrained by injunction from flying at the meet in Los Angeles. He said he did not believe the common law and the public sentiment of America would tolerate an interference with what was really a scientific exhibition for the promotion of one of the greatest of outdoor sports and the precursor of the passenger ship of the future. But if counsel for the Wright brothers advised a step that might interfere with the Paulhan show he, Mr. Cleary, would see what action he might take. He would make no legal fight until a fight was opened against him.

Mr. Cleary mentioned Paulhan again.

greater height than any man who has ever gone up and come down in an aeropiane. It was his most recent exhibition before President Fallières of France. The upper air was misty and Paulhan faded away into it. The President looked into the ether that had swallowed Paulhan and decided apparently that he was never coming back. But just as the President was stepping into his automobile Paulhan reappeared somewhere or other from elusive ether and landed his machine within eight feet of the spot from which he had soared to the unparalleled altitude of 1,970 feet. He was just in time to receive the congratulations

leled altitude of 1,870 feet. He was just in time to receive the congratulations of the President of France."

Mr. Cleary will stay in the city to greet Paulhan.

Dorando, the Marathon runner, who came in the cabin of the New York with his brother, said he was going to San Francisco to run in a match race with Hayes. He then will tackle St. Yves and later make an effort to defeat Shrubb in three races of five, ten and fitteen miles respectively. He finally will go to Buence Ayres, where there are a number of runners of Italian birth and ancestry, and try to gather more laurels. He said he had never felt in better condition and was confident that he would do better than ever.

THE MICHELIN CUP.

If No One Beats His Record by Sunset To-day It Belongs to Farman

If some aviator doesn't exceed Henry Farman's world's record of 4 hours 17 minutes and 53 seconds before sunset to-day Mr. Farman will be declared winner of the Michelin trophy and its accompanying cash prize of \$4,000 for 1909. It had been the impression that either Wilbur or Orville Wright would try for the cup, but the brothers recently

try for the cup, but the brothers recently said their time is taken up with fighting infringements. Glenn H. Curtiss has also talked of trying for the trophy, but he too said yesterday that he could not find time.

The cup was won last year at Le Mans by Wilbur Wright in a flight of 2 hours 20 minutes 23 1-5 seconds, which stood as a world's record until last August, when it was broken at the Reims meet by both Paulhan and Farman. Each winner of the trophy, which must be won eight times, in addition to the cash sum receives a bronze replica of the original. It is not generally known that the original design of the trophy was a Voisin about to soar; this was accepted about fifteen months ago, at a time when Farman in his Voisin appeared to stand a good show against Wilbur Wright. When Wright won the cup the design was changed to a Wright biplane. This was thought wise, as eight years from now the original Voisin will look a most clumsy and prehistoric contrivance.

Falls Before Subway Train, Which Stops, Thomas Sharps, a painter of 523 West 151st street, fell from the platform to the tracks in the Fourteenth street subway station at 8 b'clock last night. The motorman of an approaching express saw him tumble and stopped the train within a few feet of him.

After Dr. Greafs of Bellevue had sewed up a slight scalp wound Sharps was taken to a police station charged with intoxication.

Killed Chasing His Hat.

In his work there was one thing that bothered him. It was the way the children spent their pennies.

Mr. Thiry is not a man of narrow religious views, believing that to keep to his own Catholic faith without forcing it on others is quite enough, but it bothered him when the boys smoked cigarettes and later when the invention of patent. A man supposed to be Michael Morrisey

MRS. MARTIN BALKS.

Is Persuaded to Sign Her Name and Sh nd Mrs. Snead Are Taken to Newark. Mrs. Caroline B. Martin and Mrs. Mary

East Orange, N. J., in connection with the death of Mrs. Ocey Snead, were taken from the Tombs yesterday to the Esser county jail in Newark. The prisoners were first taken to the office of Assistant District Attorney

Perkins in the Criminal Courts Building. where they were met by their counse and the New Jersey policemen sent to fetch them. Mrs. Snead signed the papers containing her acknowledgment that she was the Mary Snead named in them. Mrs. Martin refused to sign. She read the papers and when one of he counsel told her to put her name at the bottom she said: "Now, don't you try to hurry me, young man." She wanted to know if Gov. Hughes had personally signed the papers, and then she made a long speech about some letters having been stolen from her at the Hotel Bayard by the New Jersey authorities. She was assured she would get them back.

"Now, sign your name as Caroline B. Martin, as it is written in the papers," suggested her counsel.

"No, I won't, she replied. "My name is Caroline Martin, and that's the way I'll sign. This is the most important event in my sixty-four years of life, and while I am going to temporarily leave the State where I have resided for thirty-five years I want to know what I am doing. I won't be rushed."

Then she signed, and the two women were hurried to an automobile waiting at the rear entrance of the building and were taken to Newark. counsel told her to put her name at the

LOST BY THREE VOTES. Outcome of Contest for Municipal Magis trate's Job Worth \$7,000 a Year.

By the narrow margin of three vote William A. De Groot, Assemblyman and Republican leader in the Fourth Assembly district of Queens, according to decision handed down to-day by the Appellate Division of the Brooklyn Supreme Court, loses his fight for the office of Municipal Magistrate of the Fourth Judicial district of Queens, which carries with it a salary of \$7,000 a year for ten years.

ten years.

De Groot's Democratic opponent was James F. McLaughlin, the present Municipal Magistrate of that district. Not until John Buell, an independent candidate, got into the field did the situation appear alarming to De Groot, as the Assembly district is Republican by more than 1,000 majority. On the official can-vass De Groot appeared a winner by one

vote.

McLaughlin appealed to the courts for the opening of the ballot boxes in certain election districts. The recount gave McLaughlin the lead by a few votes. Then De Groot petitioned for the opening of additional ballot boxes and the vote seesawed back and forth between the two men until it finally settled in favor of McLaughlin and he got a certificate of election by direction of Justice Blackmar in the Flushing Supreme Court. De Groat's next step was to appeal from the decision of Justice Blackmar.

"MR. GILLIGAN'S" WAKE.

Having Duly Reported His Death in the River, He Celebrates Himself.

Police Headquarters received a mes age yesterday signed "Mr. Gilligan saying that a sailor of the battleship Missouri had found a note attached to a life, preserver floating in the Hudson River off 110th street. According to the note J. J. Gallegher, owner of the 35 foot launch Alice, was on the point of sinking with his ship.

door sports and the precursor of the passenger ship of the future. But if counsel for the Wright brothers advised a step that might interfere with the Paulhan show he, Mr. Cleary, would see what action he might take. He would make no legal fight until a fight was opened against him.

Mr. Cleary mentioned Paulhan again.

Mr. Gilligan, "fine feller. Too bad he's gone. Always had a roil on him as big as that." Mr. Gilligan imitated a peck measure with his hands. "I'd hate to be the one to break it to his wife. My, she certainly thought the world of that man."

Gallegher's wife concealed her grief excellently. She lives at 520 West Fifty-first street.

"Are you sure it's Jack?" she asked "Mr. Gilligan" was conducting las

"Are you sure it's Jack?" she asked calmly. "Here's his picture."

Then it was apparent that "Mr. Gilligan" and Jack J. Gallegher were one and the same, except that Mr. Gilligan had grown a mustache.

When the wake had

When the wake had proceeded far nough "Mr. Gilligan" admitted the enough "Mr. Gilligan" admitted the identity.

"Say, how'd the old lady take it?" he asked eagerly.

Dr. Horatio Walker Dead.

PASADENA, Cal., Dec. 30.—Dr. Horatio Walker, well known in New York, died to-day of kidney disease. A rare operation was performed, but the patient didn't survive. One year ago Dr. Walker came here from New York. He was suffering from tuberculosis of the kidneys. His father is Horatio Walker of Montreal, a portrait painter.

Obliquery Notes.

Col. John Byrne, chief of detectives for the last thirty years for the United States Express Company, died yesterday at the family home in Buffalo, death being due to a stroke of apoplexy on December 18. Co i. Bryne was the father of Cadet Eugene Co i. Bryne was the father of Cadet Eugene Byrne of West Point, who was killed in a football game at that place about two months ago. It is believed that the strain of his son's death brought on the atroke of apoplexy. Col. Byrne had a fine military record in the civil war and was a member of the 185th New York Volunteer Infantry. He was shot through the head at Spottsylvania Court House in Virginia, and the wound resulted in the loss of the senses of taste and smell and the left eye. At the close of the war he became captain of the Niagara frontier police, and later he became Buffalo's first superintendent of police. He organized and commanded the Pan-American police force during the exposition held in Buffalo. Incidental to his other work he was principal of the Byrne National Detective Bureau of Buffalo for the last forty-one years. Col. Byrne is survived by his wife and five children. A son, Louis T. Byrne, recently was appointed to West Point, and is now a student at the National Preparatory School at Highland Falls, N. Y.

The Rev. Dr. Robert A. Holland, rector exercity of St. George's Episconel Church.

pointed to West Point, and is now a student at the National Preparatory School at Highland Falls, N. Y.

The Rev. Dr. Robert A. Holland, rector emeritus of St. George's Episcopal Church, St. Louis, died yesterday. He was born in Nashville sixty-five years ago and lectured at the University of the South, Sewanee, Tenn., until he went to St. Louis recently for an operation upon his eyes, which so weakened him that pneumonia and grip ended his life. He was a chaplain in the Confederate army and one of the most argressive and fluent writers in the West. His letters against Democratic primary election frauds in St. Louis largely contributed to the election of Joseph W. Folk as Governor of Missouri. He vigorously opposed the organization of the St. Louis Million Population Club until the metropolis cleaned up its salcons, bagnios and gambling racetracks from Missouri, and ocrticularly scored soriety for sporting in the horrible wrackage of characters and homes they tried to make fashiorable. He leaves a widow, three daughters, Mrs. Enid Jones, San Antonio, Tex.: Misses Mary and Theodosia, and three sons, the Rev. James Holland, New York city; the Rev. Bend Folland, Trenton, N. J., and Robert A. Holland, lawyer, St. Louis.

Ernest Mitchell, one time trustee of old Flushing village and prominent in local affairs, died yesterday in his sixty-fifth year at the home of his sister, Mrs. Alfred H. Wickam, in Flushing. He was born at the Mitchell homestead in that place. He was in the woollen business until fire years ago, when he retired and travelled abroad with his wife. Mr. Mitchell returned from Europe about a month ago and since then he had been rapidly failing. Sasider his wife he leavest two children. James Macdonald Mitchell and Mrs. Charles Schlesinger.

Frank B. Smith, president of the Crucible Schlesinger.

Frank B. Smith, president of the Crucible in the best of health and had spent the evening with friends.

MUST NOT PAY FOR BRIDGE

JUSTICE DOWLING GRANTS QUEENSBORO INJUNCTION.

Bridge Not Strong as It Ought to Be, He Says, and Who is Responsible It is for a Trial to Establish—But the Taypayer Who Sues Must Put Up Bond

Supreme Court Justice Dowling granted yesterday the injunction asked for in behalf of the Allied Real Estate Interests restraining the Mayor, the Comptroller and the City Chamberlain from paying to the Pennsylvania Steel Company the \$183,464 due on the construction of the Queensboro Bridge, on the ground that the contractors did not build the bridge with sufficient carrying capacity to meet the original requirements and that it cannot bear the weights intended to be out on it. The court requires Amanda M. Schunck, who brought the action, to put city for interest it must pay to the steel company in case she loses the suit on the

Justice Dowling held that the contention plans contemplated has been sufficiently established, particularly as to the in-ability to run elevated trains over the oridge safely. He says that in the com-

bridge safely. He says that in the completed bridge there are many millions of pounds of useless steel and concrete which will have to be removed so that a modified amount of elevated railroad traffic can be conducted.

The Court says it is evident that the bridge was intended to be used in a very arge measure for the transportation of passengers in cars and for the passage of vehicles and that the use by foot passengers was subordinate to the other uses, for which the bridge was really built. There is no contention, he said, that the contractor has not furnished the material for which it demands payment, nor that it for which it demands payment, nor that i has not done the work required to be done But, reviewing the general terms of the contract and the city's contention that the contractor was not responsible for the plan of the bridge, Justice Dowling con-

ludes:
"I am of the opinion that the questions
esented here are grave and should be
lisposed of upon the trial and not upon
his preliminary motion. The only harm disposed of upon the trial and not upon this preliminary motion. The only harm which can be done by a temporary injunction is by the running of interest charges upon the principal claimed to be due. If adequate provision be made for the protection of such interest charges and for the costs of the action no damage is caused the city. If on the other hand this motion should be denied and the money allowed to be paid to the contractor it is difficult to see how the city would be in a position ever to have tested the question of the responsibility of the contractor for such defects and structural weaknesses as exist in the bridge."

exist in the bridge."
The Court says that if the \$15,000 bond is not filed in two days the motion for the injunction will be denied.

CORONERS DISTRIBUTE JOBS. New Chief Clerk and Replevin Clerks Among the Appointees.

The incoming Board of Coroners announced last night their appointments for the ensuing term. The present Coroners' physicians are retained.

The appointments are: President of the Board of Coroners, Dr. J. L. Feinburg; secretary, James E. Winterbottom; chief cierk, Antonio Dalessandro; replevin clerk, Edward Doonan; private secretary to Coroner Feinburg. Harry Leisersohn; private secreatry to Coroner Winterbottom, Thomas L. Thompsen; private secretary to Coroner Hellenstein, Lewis J. Schwartz; private secretary to Coroner Holzhauser, Henry G. Dorsch.

The following assignments of Coroners' physicians were made: Dr. Philip F. O'Hanlon to Coroner Holzhauser, Dr. Albert I. Weston to Coroner Feinburg, Dr. Otto H. Schultze to Coroner Winterbottom and Dr. Timothy D. Lehane to Coroner Hellenstein.

Antonio Dalessandro succeeds Jacob E. Bausch, who has been chief clerk since January 1, 1906, and Edward Doonan replaces Charles O'C. Cassidy, who has been replevin and property clerk since Sepburg; secretary, James E. Winterbottom:

replevin and property clerk since September 21, 1906. The salary of the chief clerk is \$3,000 and that of the replevin clerk \$2,200.

Dies Suddenly in an Office.

A man supposed from a card in his pocket to be Ernest Washburne, foreign sales manager of the American Export League, with offices at 207 Fulton street died in the offices of the Baron Manufacturing Company, 161 West Twentyninth street, yesterday. His body was removed to the Morgue for positive identification. Frank C. Washburne of Westfield, N. J., a member of the firm of E. G. Washburne & Co., said last night that Ernest Washburne was a relative of his and that he will go to the Morgue this morning to look at the body. He said that Mr. Washburne was 55 years old and was married. At the Judson Memorial Church on Washington Square it was said that Mr. Washburne was a member and that he had been living at 23 Sixth avenue, a lodging house, for the last two years. acturing Company, 161 West Twenty-

Prendergast's Return.

Comptroller-elect William A. Prendergast, who has been resting for a few days at Lakewood, is expected back at home in Brooklyn this afternoon. He will not, it is understood, announce any further appointments until after he takes office to-morrow.





When a man plumes himself up in gayest feathers he comes right down to black and white. Full dress suits of finest black fabrics that hold their dignity on the most joyous occasion.

You can pour yourself into a perfect fitting dress suit here-\$35 to \$50.

Every other perquisite for evening wear, the shirt, the tie, the gloves, etc

WM. VOGEL & SON Two Broadway Stores at 44th Street Houston Street

HER HUSBAND STAYS IN JAIL. Marriage After Conviction of Sedu

Joseph Scharff of 24 Stanton street, who got out of Sing Sing on bail last April through the intercession of Secretary of State Koenig pending an appeal to the Appellate Division of the Supreme Court from an order revoking the suspension of his sentence to four years impri must go back under a ruling by the Appel-

ate Division yesterday.
Scharff was convicted before Judge Malone in General Sessions in April, 1906, of seduction, but before the day of senof seduction, but before the day of sentence came he married Elsie Frankel, who had complained against him, and on that account the Court suspended sentence. He lived with her until last February, and they had two children, but she reported that he did not provide for her and Judge Malone called Scharff in and sent him to Sing Sing. He had been there only two months when Mrs. Scharff decided that she would rather have her husband out of jail, and got a number of East Side women interested in the case, as the result of which Mr. Koenig took it up.

Justice Scott, writing the Appellate Division opinion, said that the sentence should not have been suspended because of Scharff's marriage in the first place. Marriage is only a bar to punishment when

Marriage is only a bar to punishment when it occurs before conviction, and not after-ward, he held.

Income

\$50,000 Left to Educate Priests. The will of Mary G. Byrnes of 152 East Forty-eighth street leaves the residue of an estate worth more than \$50,000 to Archbishop Farley to pay the income to her mother and on the latter's death to use the principal for the education of young men for the priesthood. The will gives \$500 to the Rev. Father Richard O. Hughes of St. Patrick's Cathedral, who is named executor.

Toast the New Year

Delightfully Refreshing and Invigorating ON DRAUGHT AND IN BOTTLE

EVERYWHERE Bass & Co., Brewers, New York

"How to Insure Your Income"

THIS is the name of an interesting new book which we have prepared for free distribution. It explains the accident and illness insurance policies of the Empire State Surety Company

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